AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1.   (Currently amended) A data transfer apparatus comprising:

transfer means for transferring content data encrypted in a predetermined manner from a first recording means which can store encrypted content data to ~~an~~ a first external apparatus and a second external apparatus;

discrimination means for making discrimination between ~~a~~ said first external apparatus which can record only encrypted content data to a second recording means accommodated in said first external apparatus connected to said data transfer apparatus and ~~a~~ said second external apparatus which can record only decrypted content data to ~~said second~~ a third recording means accommodated in said second external apparatus connected to said data transfer apparatus; and

if said first external apparatus is discriminated by said discrimination means, control means for decrementing a transfer count of the encrypted content data when transferring said encrypted content data from said first recording means to said first external apparatus, incrementing said transfer count when said encrypted content data are returned from said first external apparatus, and disabling the transfer of said content data from said first recording means to said first external apparatus if said transfer count has exceeded a predetermined limit value and,

if said second external apparatus is determined by said discrimination means, said control means disabling the return of the encrypted content data from said second external apparatus.

2.   (Original) The data transfer apparatus according to claim 1, wherein said second recording means accommodated in said first external apparatus is a flash memory.

3.   (Currently amended) The data transfer apparatus according to claim 1, wherein said ~~second~~ third recording means accommodated in said second external apparatus is a magneto-optical disk.

4.   (Original) The data transfer apparatus according to claim 1, wherein said first recording means is a hard disk.

5.   (Currently amended) The data transfer apparatus according to claim 1, wherein said second external apparatus has decryption means for decrypting the encrypted content data transferred from said data transfer apparatus, recording the content data decrypted by said decryption means into said ~~second~~ third recording means.

6.   (Original) The data transfer apparatus according to claim 1, further comprising:

first receiving means for receiving the encrypted content data and a control signal from a content server;

second receiving means for receiving unencrypted content data from a package medium; and

if said second external apparatus is discriminated by said discrimination means, determination means for determining whether or not to transfer said content data from said content server on the basis of said control signal attached to said content data supplied from said content server.

7.   (Original) The data transfer apparatus according to claim 6, wherein said control means restricts the transfer count of said content data supplied from said content server, said content data being transferred from said first recording means to said second external apparatus.

8.   (Currently amended) The data transfer apparatus according to claim 1, further comprising:

first receiving means for receiving encrypted content data and a control signal supplied from a content server;

second receiving means for receiving unencrypted content data supplied from a package medium; and

encryption means for encrypting said unencrypted content data supplied from said package medium and received by said second receiving means;

if said second external apparatus is discriminated by said discrimination means, transferring the content data encrypted by said encryption means being supplied to said second external apparatus.

9.   (Currently amended) A data transfer system having a data transfer

apparatus and at least one of a first external apparatus and a second external

apparatus which can be selectively connected to said data transfer apparatus, said data

transfer apparatus comprising:

transfer means for transferring content data encrypted in a predetermined

manner from a first recording means which can store encrypted content data to ~~an~~ said

first external apparatus and said second external apparatus;

discrimination means for making discrimination between ~~a~~ said first external

apparatus which can record only encrypted content data to a second recording means

accommodated in said first external apparatus connected to said data transfer

apparatus and ~~a~~ said second external apparatus which can record only decrypted

content data to ~~said second~~ a third recording means accommodated in said second

external apparatus connected to said data transfer apparatus; and

if said first external apparatus is discriminated by said discrimination means,

control means for decrementing a transfer count of the encrypted content data when

transferring said encrypted content data from said first recording means to said first

external apparatus, incrementing said transfer count when said encrypted content data

are returned from said first external apparatus, and disabling the transfer of said content

data from said first recording means to said first external apparatus if said transfer count

has exceeded a predetermined limit value and,

if said second external apparatus is discriminated by said discrimination means,

said control means disabling the return of the encrypted content data from said second

external apparatus;

said second external apparatus comprising:

receiving means for receiving the content data encrypted in a predetermined

manner from said transfer means;

decryption means for decrypting said content data encrypted in a predetermined

manner received by said receiving means;

and recording means for recording said content data decrypted by said

description means into said ~~second~~ third recording means.

10.   (Original) The data transfer system according to claim 9, wherein said

second recording means accommodated in said first external apparatus is a flash

memory.

11.   (Currently amended) The data transfer system according to claim 9,

wherein said ~~second~~ third recording means accommodated in said second external

apparatus is a magneto-optical disk.

12.   (Original) The data transfer system according to claim 9, wherein said first

recording means is a hard disk.

13.   (Currently amended) The data transfer system according to claim 9 wherein said second external apparatus has decryption means for decrypting the encrypted content data transferred from said data transfer apparatus, recording the content data decrypted by said decryption means into said ~~second~~ third recording means.

14.   (Original) The data transfer system according to claim 9, further comprising:

first receiving means for receiving the encrypted content data and a control signal from a content server;

second receiving means for receiving unencrypted content data from a package medium; and

if said second external apparatus is discriminated by said discrimination means, determination means for determining whether or not to transfer said content data from said content server on the basis of said control signal attached to said content data supplied from said content server.

15.   (Original) The data transfer system according to claim 14, wherein said control means restricts the transfer count of said content data supplied from said content server, said content data being transferred from said first recording means to said second external apparatus.

16.   (Currently amended) The data transfer system according to claim 9, wherein said data transfer apparatus further comprises:

first receiving means for receiving encrypted content data and a control signal supplied from a content server;

second receiving means for receiving unencrypted content data supplied from a package medium; and

encryption means for encrypting said unencrypted content data supplied from said package medium and received by said second receiving means;

if said second external apparatus is discriminated by said discrimination means, transferring the content data encrypted by said encryption means ~~being supplied~~ to said second external apparatus.

17.   (Currently amended) A data transfer method for transferring encrypted content data from a data transfer apparatus having a first memory which can store encrypted content data to a second memory accommodated in ~~an~~ a first external apparatus connected to said data transfer apparatus and a third memory accommodated in a second external apparatus connected to said data transfer apparatus, said data transfer method comprising:

~~discrimination step for~~ discriminating between ~~a~~ said first external apparatus which can record only encrypted content data to ~~a~~ said second memory ~~accommodated in said external apparatus connected to said data transfer apparatus~~ and ~~a~~ said second external apparatus which can record only decrypted content data to said ~~second~~ third memory;

if said first external apparatus is discriminated, ~~by said discrimination means, first control step for~~ decrementing a transfer count of the encrypted content data when transferring said encrypted content data from said first memory to said <u>first</u> external apparatus, incrementing said transfer count when said encrypted data are returned from said first external apparatus, and disabling the transfer of said content data from said first memory to said <u>first</u> external apparatus if said transfer count has exceeded a predetermined limit value; and

if said second external apparatus is discriminated, ~~in said discrimination step, second control step for~~ disabling the return of the encrypted content data from said second external apparatus.

18. (Original) The data transfer method according to claim 17, wherein said second memory accommodated in said first external apparatus is a flash memory.

19. (Currently amended) The data transfer method according to claim 17, wherein said ~~second~~ <u>third</u> memory accommodated in said second external apparatus is a magneto-optical disk.

20. (Original) The data transfer method according to claim 17, wherein said first memory is a hard disk.

21. (Currently amended) The data transfer method according to claim 17, wherein, if the encrypted content data to be stored in said first memory are supplied via

a network, control information is attached to said encrypted content data and stored in said first memory, said data transfer method further comprising:

~~judgment step for~~ judging whether there is said control information when transferring said encrypted content data from said first memory to said second external apparatus; and

if said second external apparatus has been discriminated, ~~in said discrimination step, determination step for~~ determining whether to transfer said content data supplied from said content server depending on the presence of said control information.

22.   (Currently amended) The data transfer method according to claim 21, further comprising:

~~restricting step for~~ restricting a transfer count in which said content data supplied from said content server can be transferred from said first memory of said data transfer apparatus to said second external apparatus.

23.   (Currently amended) The data transfer method according to claim 17, wherein, if encrypted content data to be stored in said first memory are supplied from a package medium and said second external apparatus has been discriminated ~~in the discrimination step~~, said encrypted content data are supplied to said second external apparatus.

24.   (Original) A data recording apparatus which receives encrypted content data from a data transfer apparatus having a first recording medium storing said

encrypted content data and records the received encrypted content data to a second

recording medium, comprising:

communication means for performing bidirectional communication with said data

transfer apparatus;

authentication processing means for performing authentication with said data

transfer apparatus through said communication means;

decryption means for decrypting said encrypted content data supplied from said

data transfer apparatus through said communication means;

recording means for recording said content data decrypted by said description

means to said second recording medium; and

control means for disabling the return of said content data from said second

recording medium to said data transfer apparatus through said communication means.

25.   (Currently amended) A recording medium storing a computer-readable

program for transferring encrypted content data from a data transfer apparatus having a

first memory storing said encrypted content data to a second memory accommodated in

~~an~~ a first external apparatus <u>connected to said data transfer apparatus and a third</u>

<u>memory accommodated in a second external apparatus connected to said data transfer</u>

<u>apparatus</u>, said computer-readable program comprising:

~~discrimination step for~~ discriminating between ~~a~~ <u>said</u> first external apparatus

which can record only encrypted content data to ~~a~~ <u>said</u> second memory ~~accommodated~~

~~in said external apparatus connected to said data transfer apparatus~~ and ~~a~~ <u>said</u> second

external apparatus which can record only decrypted content data to said ~~second~~ third memory;

if said first external apparatus is discriminated, ~~in said discrimination step, first control step for~~ decrementing a transfer count of the encrypted content data when transferring said encrypted content data from said first memory to said first external apparatus, incrementing said transfer count when said encrypted data are returned from said first external apparatus, and disabling the transfer of said content data from said first memory to said first external apparatus if said transfer count has exceeded a predetermined limit value; and.

if said second external apparatus is discriminated, ~~in said discrimination step, second control step for~~ disabling the return of the encrypted content data from said second external apparatus.